

SENATE BILL 77

By Kurita

AN ACT to amend Tennessee Code Annotated, Title 41,
Chapter 8, relative to correctional institutions and
inmates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 41-8-103, is amended by deleting subsection (11) and substituting instead the following:

(11) "Prisoner day" means each day each state prisoner was held by a county pursuant to § 40-23-104 or § 40-35-311 and during a designated contract period, where applicable. "Prisoner day" also means each day each state prisoner convicted by the trial court was held by a county after the first five (5) days of incarceration following conviction and during a designated contract period, where applicable; provided, that the prisoner's commitment to the department was delayed pursuant to chapter 1, part 5 of this title or pursuant to the order of a federal court; and

SECTION 2. Tennessee Code Annotated, Section 41-8-106, is amended by adding the following new subdivision (3) to subsection (g):

(3) The commissioner of the department of correction is authorized to retroactively compensate the county back to the date an inmate is initially incarcerated for "Detainee Days", as defined in § 41-8-103(6), if the trial judge grants the defendant credit for time served in jail awaiting trial, time spent in jail pending appeal, or the trial judge finds another portion of the county correctional incentive act requires compensation, provided it is done in a manner that is consistent with this act.

SECTION 3. This act shall take effect July 1, 2019, the public welfare requiring it.